

## **BRAZIL**

Meeting for National Focal Points on Improving Future National Reporting to the CSD

New York, February 2002

Exchange of Country Experiences in Preparing National Reports

### **a. The role of national focal point in your country**

Environmental management in Brazil began in the early seventies, as a result of the United Nations Conference on the Human Environment (Stockholm, 1972), with the creation of the Special Environment Secretariat, associated to the Ministry of interior, and with enactment of related federal legislation. The Conference also led to the creation of state and local agencies for environmental control, with their own legislation.

The spirit pervading environmental policies along the almost twenty years since the Stockholm Conference, was the “limits to growth: which led the state to condition economic development to the preservation of the natural world. This policy was the basis for an environmental management restricted mostly to “command and control” measures.

In 19981, Law No. 6,938 was enacted, establishing the National Environment Policy, mechanisms for its formulation and application, and also established the National Environment system – SISNAMA. This system is made up of all environmental bodies and entities of federal, state and local governments, as well as the foundations responsible for the protection and improvement or environmental quality. SISNAMA has a higher body – the Government Council – and a decision-making and consultative body, the National Environmental Council – CONAMA.

CONAMA, chaired by the Minister of Environment, is composed of governmental and non-governmental bodies (academic and business communities, guidelines and policies for the environment and natural resource to the Government Council government. It also aims to discuss, within its sphere of action, standards and norms compatible with an ecologically balanced environment and one that is essential for a healthy quality of life. CONAMA is, then, a unique experience that works as a resonance chamber for all sectors involved with environmental management, where all legal measures related to the environment are discussed and adopted, when appropriate.

Besides these, SISNAMA also has a central body, the Ministry of Environment for formulating national policy and government guidelines for the environment, as well as planning and controlling their applications; and an executive body, the Brazilian Institute for the Environment and Renewable Natural Resources (IBAMA), for executing and enforcing, at a federal level, government policies and guidelines established for the environment, among others. The Institute has offices in all Brazilian states and work in close cooperation with local and state environmental organisms.

In 1989, with the restructuring of the administrative structure of the environmental sector, a mechanism was established that proved to be important for financing actions to promote the sustainable use of natural resources or the

recovery of environmental quality in the various Brazil ecosystems – the National Environment Fund – FNMA.

The United Nations Conference on the Environment and Development (Rio de Janeiro, 1992), represented a point of reflection in environmental management, gradually re-directing it to a sustainable development approach, as established in the Agenda 21, leading to a series of organizational and legal adaptations. Thus, the Ministry of Environment and the Legal Amazon was created in 1992.

In 1997, the Commission for Sustainable Development Policies was created with representatives of Government and civil society, to propose policies and strategies for sustainable development and to coordinate the drafting of the Brazilian Agenda 21.

The work of the current Ministry of Environment includes three agendas:

- a. The green agenda: natural resources, biodiversity, genetic resources, reforestation and degraded areas, fishing and fish resources, protected areas, and control of forest fires and burnings;
- b. The blue agenda: national policy and management of water resources, including underground water;
- c. The brown agenda: air quality, chemicals, industrial wastes, environmental licensing, environmental monitoring, ozone layer, urban environmental management, and coastal zone management.

The Ministry also created a Secretariat for Sustainable Development Policies and because of the strategic importance of the Amazon region; it also established a Secretariat to Coordinate Amazonian Affairs.

In addition to these agendas, the Ministry works with cross-sectoral issues, through its National Environmental Education Program, economic instruments for environmental management, drafting of the Brazilian Agenda 21, ecotourism, ecological-economic zoning, among others. These actions have permitted Brazil to progress substantially in terms of environmental legislation and surveillance, institutional capacity building, formulation and implementation of policies for the conservation and sustainable use of natural resources.

In the year 2000, Brazil enacted the Law 9.984, creating the Water National Agency, organism responsible for the execution of the Water Resources National Policy and that disciplines the use of water resources in the country, for any purpose.

Internationally, Brazil has been very active, not only within the most relevant international agreements it has signed (biological diversity, climate change, desertification, protection of the ozone layer, transboundary movement of hazardous wastes, etc.), but also within the most important bilateral, regional and global environmental for (forests, Commission on Sustainable Development, oceans, fisheries, etc.). International cooperation has an important role in Brazilian environmental programs, as demonstrated by the performance of the Pilot Program to Conserve Brazilian Rain Forests (PPG-7) and the National Biological Diversity Program (Pronabio), both involving international and national financial resources. Over the past few years, foreign investment has become more efficient, expanding the possibilities for cooperation to overcome the limitations of human, technical and financial resources.

With this in mind, it can be seen that in spite of the fact that the issue of sustainable development is broader than just the environment, including social,

political and economic issues, the Ministry of Environment occupies a major role, presiding over most of the multi-sectoral bodies and councils that aim to coordinate the various sectors, including non-governmental ones, in the effort to implement Agenda 21.

The office for International Affairs is the unit of the Ministry of Environment specialized in dealing with international environmental issues, enabling the Ministry of Environment, in consonance with other governmental bodies, particularly the Ministry of Foreign Relations, to coordinate positions and participate, in a technical capacity, in the political negotiations of the Brazilian Government in international for a. Thus, the Office for International Affairs is responsible for bringing together information and data from the technical departments of the Ministry and other areas of government to meet external demands, such as questionnaires sent by the United Nations, always in close collaboration with the Ministry of Foreign Affairs.

**b. Inter-ministerial coordination in preparing national reports**

The Ministry of Environment, presiding the main multi-sectoral bodies and councils responsible for the implementation of Agenda 21 in the country, is able to coordinate both governmental and non-governmental sectors, in the search for information and data requested by international organisms, in particular the Commission for Sustainable Development, by identifying the sectors involved, receiving and organizing this information as required.

On some occasions, because of the complexity of the issues involved or of the co-responsibility of more than one sector, meetings are organized for discussing and coordinating replies.

The Commission for Sustainable Development Policies (CPDS) still has not been able to come together and operate in such a way as to meet all demands, but can be an important mechanism of coordination among different sectors to gather information and subsidies. For the moment, the Ministry of Environment has had to take on these responsibilities, even though it has insufficient human and financial resources.

The Brazilian government works in a decentralized manner, the state and local governmental institutions exerting their policies autonomously. This facilitates the implementation of policies but, on the other hand, put difficulties for the Ministry of Environment to acknowledge all initiatives and actions implemented on these levels and requires a great amount of coordination to obtain the required information. As a rule, the Ministry relies on information that other sectors identify and obtain within their particular areas.

In this coordination with other government sectors, the Ministry of Environmental counts on the support and coordination of the Ministry of Foreign Relations, which is responsible for Brazilian foreign policy and representing Brazil in international for a.

c. **How your country has reconciled reporting requirements from different UN system bodies including mandatory reporting for conventions.**

Meeting and reconciling the various requirements of the different Convention Secretariats and international for a has been made possible because the Ministry of Environment has within its sphere of action, most of the information and data required for completing the questionnaires. However, the very number of these requests and the precariousness of human and financial resources to meet all the technical operational and functional demands of the Ministry have made it extremely difficult to meet these requests within the specified periods.

In addition, the language barrier is such that the Ministry must translate all questionnaires into Portuguese, to enable their comprehension, and later must translate replies back into English. These procedures requires availability of qualified human resources, besides taking up a significant amount of time of the period required for sending in replies.

Based on the experienced acquired in meeting the innumerable requests for information, both external and internal, the technical staff has been improving and expediting reporting requirements. An important step over the past few years has been the growing availability of information, both international and national, in electronic format, which has enormously helped the tasks of sending, receiving, classifying, storing and organizing information. Currently almost all of the Ministry's support and technical staff, private sector, NGOs, etc. have computing facilities, networks and data banks, which have led to speedier and more efficient replies to request for information.

d. **What capacity and resource issues do you have in preparing your national report**

As mentioned above, the Ministry of Environment has made use of its experience to improve the search for information and preparation of reports. Furthermore, computing resources (computers, networks, databases, information in electronic media, etc.) have been expediting the search and access to available data.

However, the few human and financial resources available are not sufficient to submit national reports in time, which, in addition to all other demands, are quite numerous. Generally, human resources are not specifically set out for these tasks, which necessarily implies in making use of those already existing in the Ministry, already overburdened with their everyday functions and responsibilities.

In the case of the other government levels, state and local, it has not usually been possible to rely on qualified human resources. A considerable capacity building effort would be necessary for them to supply information for

report preparation. Such an effort would require significant financial resources that are currently not available.

e. **Other issues including difficulties/obstacles encountered in national reporting.**

The multiplicity of reports/questionnaires has made their timely submission considerably difficult, requiring time, financial and qualified human resources that are not always available. The fact that these reports in general include information that must be obtained from other governmental and non-governmental sectors makes the process even more complex and time-consuming.

A frequent complaint has been the volume of information requested, and that it is often repeated, sometimes even within the same report. An effort in the sense of prioritising information and data that really allow an assessment of the progress achieved nationally, wherein the requesting bodies would avoid requesting superficial and less significant data, might well represent an enormous step towards improving the reports and expediting their submission and analysis. Increase in the period between reports could also be another factor for consideration, bearing in mind that, as a rule, there aren't significant changes every year. For example, in the case of the CSD, reports could be requested every two years, and not on an annual basis.

Still in this regard, better coordination and synergy among for a and convention secretariats could facilitate access to information already provided by countries, making repetition of national efforts unnecessary. Such coordination could even lead to a global report, including information on all issues of sustainable development. A matrix report or a "clusterized" (chemical substances, biodiversity/forests, water, etc.) report could be a first step in this sense.

The subjectivity of certain questions have also made it more difficult to obtain appropriate replies. Since it makes their scope and comprehensiveness more difficult to understand, thus possibly giving rise to erroneous or imprecise information. Furthermore, it makes the various sectors wary that the information they provide may be interpreted as non-compliance of commitments or not meeting recommendations. More objective and fewer questions would greatly facilitate the efforts involved in drafting replies. The last version of the Ramsar Convention report can be used as an example of a report that has been modified with these issues in mind, with excellent results. Its clarity and objectivity have greatly facilitated its understanding, and expedited its reply and submission.

The scarcity of sustainable development indicators in the country can also be considered a problem that contributes to the non-timely submission of reports. The development of sustainability indicators, already underway in certain sectors, and regular information to assess their evolution could provide inputs and ease of

access to the necessary data. Although the Ministry of Environment has been working, particularly in collaboration with the Brazilian Institute for Geography and Statistics, to develop and follow these indicators, a significant effort is still required in capacity building and availability of financial and technical resources to achieve significant progress in this area.

Cooperation is essential to allow developing countries to respond adequately to reporting requirements. Such cooperation provided through allocation of financial and human resources, transference of technical and technological knowledge, including communications, and support to national focal points, among others.